

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Progress  
Energy Florida, Inc.

DOCKET NO. 050078-EI  
ORDER NO. PSC-05-0554-PCO-EI  
ISSUED: May 20, 2005

ORDER GRANTING INTERVENTION

By petition, dated April 4, 2005, Florida Retail Federation ("FRF") has requested permission to intervene in this proceeding. FRF supports its petition for intervention by stating that is an established association with more than 10,000 members in Florida, many of whom are retail customers of Progress Energy Florida, Inc. (PEF). Therefore, FRF asserts that it may be substantially affected by any action the Commission takes in this docket. On April 11, 2005, PEF filed a response to FRF's petition to intervene, stating that it had no objection to FRF's participation in this docket.

Upon consideration of FRF's Petition to Intervene, it appears that its substantial interests may be affected by this proceeding. No parties to this docket have expressed opposition to FRF's request to intervene, and the time for doing so has elapsed. Therefore, the Petition to Intervene shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, FRF takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission, that the Petition to Intervene filed by Florida Retail Federation is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Robert Scheffel Wright, Attorney at Law  
John T. LaVia, III, Attorney at Law  
Landers & Parsons, P.A.  
310 West College Avenue (ZIP 32301)  
Post Office Box 271  
Tallahassee, Florida 32302  
(850) 681-0311 Telephone  
(850) 224-5595 Facsimile.

DOCUMENT NUMBER-DATE

04950 MAY 20 05

FPSO-COMMISSION

By ORDER of the Florida Public Service Commission this 20th day of May, 2005.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By:   
Kay Flynn, Chief  
Bureau of Records

( S E A L )

JSB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.